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PATENTS

DOCKET NO. 32480/3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Scott G. Adams et al.
Serial No.: 10/082,064
Filed: February 19, 2002
Conf. No.: 2139
Title: ACCELEROMETER

Art Unit: 2856
Examiner: Not yet known

Commissioner For Patents
Washington, D.C. 20231

**PETITION UNDER 37 C.F.R. § 1.10(c)
TO ACCORD "DATE-IN" ON EXPRESS MAIL LABEL
AS FILING DATE OF PATENT APPLICATION**

Applicants hereby petition under 37 C.F.R. § 1.10(c) for the Commissioner to accord the "Date-In" on the Express Mail Label used to mail the above-identified patent application as the Filing Date of the application.

On October 19, 2001, the above-identified patent application was filed using the Express Mail Filing procedure set forth under 37 C.F.R. § 1.10. On March 26, 2002, the Patent Office mailed a Filing Receipt showing the Filing Date for this application as being February 19, 2002. A copy of the Filing Receipt is attached hereto at Tab 1.

As required by 37 C.F.R. § 1.10(c)(1), this petition is being filed within 8 days of the mailing date of the Filing Receipt, and less than two months from the granted Filing Date of February 19, 2002, and thus is being filed promptly.

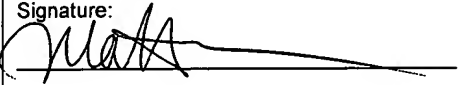
As required by 37 C.F.R. § 1.10(c)(2), the Express Mail Label Number was placed on the papers making up the application. As permitted by MPEP § 513, the papers making up the application filing were filed with a transmittal letter itemizing the contents of the filing and also identifying the Express Mail Label Number used to file the application. This transmittal letter was labeled Utility Application and Application Fee Transmittal. A copy of the Utility Application and Application Fee Transmittal filed with the application and showing the Express Mail Label Number is attached hereto at Tab 2. Similarly, a Return Postcard and a Certificate of Express Mailing were filed with the application itemizing the contents of the filing and also identifying the Express Mail Label Number. A copy of the Return Postcard filed with

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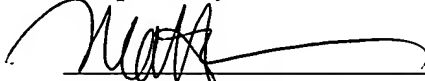
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<p>Certificate of Mailing</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:</p> <p>Commissioner for Patents Washington, D.C. 20231</p> <p>on April 3, 2002.</p> <p>Typed or printed name of person signing this certificate:</p> <p>Matthew T. Byrne</p> <p>Signature: </p>

Respectfully submitted,


Matthew T. Byrne
Registration No. 40,934
SHEARMAN & STERLING
Customer No. 26155
599 Lexington Avenue
New York, New York 10022
(212) 848-4000 (voice)
(212) 848-7179 (fax)



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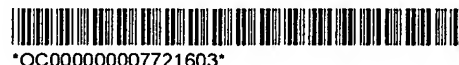
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/082,064	02/19/2002	2856	1036	32480/3	8	66	9

CONFIRMATION NO. 2139

26155
SHEARMAN & STERLING
INTELLECTUAL PROPERTY DOCKETING
599 LEXINGTON AVENUE
NEW YORK, NY 10022

FILING RECEIPT



OC000000007721603

Date Mailed: 03/26/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Scott G. Adams, Ithaca, NY;
Scott A. Miller, Ithaca, NY;
Wendy Jo H. Johnson, Ithaca, NY;

Assignment For Published Patent Application

Kionix, Inc.;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 03/26/2002

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Accelerometer

~~Docketed For
Statutory Data~~

Preliminary Class

073

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PATENT



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Express Mail Label No. EE645127921US
Attorney Docket No. 32480/3

OFFICE OF PETITIONS
UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing is the patent application of

Inventor(s): Scott G. Adams, Scott A. Miller, and Wendy Jo H. Johnson

Title: ACCELEROMETER

Attorney Docket No. 32480/3

1. ENCLOSED ARE THE FOLLOWING:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Return receipt postcard | <input checked="" type="checkbox"/> Declaration and Power of Attorney (2 pages) |
| <input type="checkbox"/> CD-ROM or CD-R, in duplicate | <input checked="" type="checkbox"/> newly executed (original or copy) |
| <input checked="" type="checkbox"/> PrintEFS bibliographical data sheet (2 pages) | <input type="checkbox"/> has not been executed by all the inventors. An executed Declaration and Power of attorney will be submitted in due course |
| <input checked="" type="checkbox"/> Certificate of Express Mailing (1 page) | |
| <input checked="" type="checkbox"/> This Letter (2 pages) | <input checked="" type="checkbox"/> Information Disclosure Statement (1 page) |
| <input checked="" type="checkbox"/> Patent specification consisting of: | <input checked="" type="checkbox"/> Form PTO-1449 (1 page) |
| Written description (14 pages) | <input checked="" type="checkbox"/> Copy of 22 cited references |
| Claims (13 pages) | <input checked="" type="checkbox"/> Assignment papers (see below) |
| Abstract (1 page) | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Informal Drawings (8 sheets) | |

2. FILING FEE

☒ Applicant claims Small Entity Status under 37 C.F.R. § 1.27 and 1.28(a).

CALCULATION OF APPLICATION FILING FEE

	Number Filed				Number Extra		Rate	Fee
Basic filing fee								\$ 370.00
Total Claims	66	-	20	=	46	×	\$ 9.00	\$ 414.00
Independent Claims	9	-	3	=	6	×	\$ 42.00	\$ 252.00
Multiple Dependent Claims	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no						\$ 135.00 NONE	\$ 0.00
							Total:	\$1,036.00

☒ A check in the amount of \$ 991.00 in payment of the application filing fee is attached.

☒ Charge the remaining \$45.00 of the filing fee to Deposit Account 50-0324, Order No. 32480/3.

☒ The Commissioner is authorized to charge any additional required fees, or credit any overpayment, to Deposit Account 50-0324, Order No. 32480/3.

3. ASSIGNMENT INFORMATION

☒ The application is assigned to Kionix, Inc..

☒ An Assignment (3 pages, executed) and Recordation Cover Sheet (1 page) are enclosed. Please record the Assignment and return it to the undersigned.

☒ A check for \$ 40.00 to cover the recording fee is enclosed.

☐ Please charge the recording fee to our Deposit Account 50-0324, Order No. 32480/3.

4. CORRESPONDENCE ADDRESS

☒ Customer Number 026155

attach bar code sticker here

☐ Firm name:

SHEARMAN & STERLING
Intellectual Property Docketing
599 Lexington Avenue
New York, New York 10022

(212) 848-7332 Telephone
(212) 848-7179 Facsimile
(212) 848-4000 general telephone

5. GOVERNMENT SPONSORED RESEARCH

The invention was made by an agency of the United States Government or under contract with an agency of the United States Government. ☐ no

Respectfully submitted,
SHEARMAN & STERLING

Dated: October 19, 2001

By: 

Matthew T. Byrne

Registration No. 40,934



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Date: October 19, 2001
In re Application of Scott G. Adams, et al.
For: ACCELEROMETER

Atty. Docket No. 32480/3

Date: October 19, 2001
In re Application of Scott G. Adams, et al.
For: ACCELEROMETER
Filed: concurrently herewith on October 19, 2001

Atty. Docket No. 32480/3

Enclosed

1. Checks in the amount of \$ 991.00 and \$40.00
2. This postcard
3. Certificate of Express Mailing No EE645127921US
4. PrintEFS bibliographical data sheet (2 pages)
5. Utility Application and Appl'n Fee Transmittal (2 pages)
6. Patent specification consisting of: cover page, written description (14 pages), claims (13 pages), abstract (1 page)
7. Informal Drawings (8 sheets)
8. Declaration and Power of Attorney (2 pages, executed)
9. Information Disclosure Statement (1 page)
10. Form PTO-1449 (1 page)
11. 22 references
12. Recordation Form Cover Sheet (1 page)
13. Assignment (3 pages, executed)

jc828 U.S. PTO
10/082064
02/19/02

PLEASE DATE STAMP AND RETURN TO ACKNOWLEDGE RECEIPT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Scott G. Adams, et al.
Filed: Concurrently Herewith on October 19, 2001
Title: ACCELEROMETER

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CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.: EE645127921US
Date of Deposit: October 19, 2001

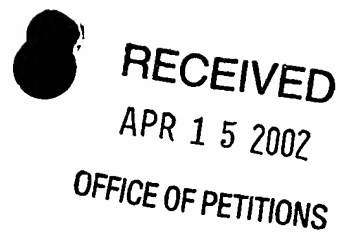
I hereby certify that the following:

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Recordation Form Cover Sheet (1 page)
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are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the Date of Deposit indicated above in an envelope addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Signature of Person Making Deposit

SHEARMAN & STERLING
599 Lexington Avenue
New York, NY 10022
(212) 848-4000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application for Patent for

ACCELEROMETER

by

Scott G. Adams
Scott A. Miller
Wendy Jo H. Johnson

Shearman & Sterling
599 Lexington Avenue
New York, New York 10022
(212) 848-4000

Atty. Docket 32480/3
Express Mail Label EE645127921US

ACCELEROMETER

BACKGROUND

The invention relates to accelerometers.

5 Accelerometers are devices that measure acceleration, or changes in a rate of motion. When an elevator starts or stops, several portions of the human body can detect the change in motion and report the change to the brain. Similarly, known accelerometers use different mechanical and electrical techniques to detect changes in motion, and to report the changes to processors. Accelerometers are used in navigational systems, automatic seat belt and air bag
10 triggers, and many other applications.

 In known techniques for manufacturing semiconductors, a single crystal of silicon is grown, and then photographic and lithographic techniques are used to etch away unwanted parts of the silicon, and to introduce doping atoms into the silicon to change the electrical properties of the silicon. It is also known to deposit other materials onto the silicon – for example, thin layers
15 of metal may be deposited onto the silicon to serve as conducting wires between different portions of a circuit. The underlying silicon serves as a structural base to provide mechanical support for the metal, while the metal provides the electrical conductivity.

SUMMARY

20 In general, in a first aspect, the invention features an accelerometer. The accelerometer includes a fixed structure, a movable structure, and a resilient coupling. The fixed and movable structures generally lie in a plane. The fixed structure bears a fixed electrode, and the movable structure bears a movable electrode. The resilient coupling is designed to retain the fixed and movable structures in capacitive opposition to each other across a capacitance gap while
25 allowing motion of the movable electrode relative to the fixed electrode in response to acceleration along an axis of acceleration perpendicular to the plane, and to resiliently restore the two electrodes to an equilibrium position when the acceleration ceases. Electronics and/or software is designed to translate a measurement of capacitance between the fixed and movable electrodes into a measurement of the acceleration along the axis.

30 In general, in a second aspect, the invention features an accelerometer. The accelerometer includes a fixed portion, a movable portion, and a resilient coupling. The fixed and movable portions generally lie in a plane. The resilient coupling is designed to allow motion

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Atty. Docket No. 32480/3
Express Mail Label No. EE645127921US**DECLARATION AND POWER OF ATTORNEY**

Each one of us, Scott G. Adams, Scott A. Miller, and Wendy Jo H. Johnson hereby declares that:

My residence, mailing address, and citizenship are as stated below next to my name;

I verily believe that we are the original, first, and joint inventors of the invention or discovery entitled ACCELEROMETER, which is described and claimed in the attached specification;

I acknowledge my duty to disclose information that is material to the examination of the application in accordance with 37 C.F.R. § 1.56(a);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

POWER OF ATTORNEY: I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

James R. Warnot, Jr., Reg. No. 34,455, David M. Klein, Reg. No. 35,221,
David E. Boundy, Reg. No. 36,461, Donna Marie Werner, Reg. No. 36,719,
Matthew T. Byrne, Reg. No. 40934, Warren L. Nachlis, Reg. No. 41,216,
Alex V. Chachkes, Reg. No. 41,663, Chad M. Yohn, Reg. No. 42,246,
Antoinette E. Baker, Reg. No. 44,018, and Anthony Meola, Reg. No. 44,936,
all of Shearman & Sterling, 599 Lexington Avenue, New York, NY 10022,
(212) 848-4000.

Send correspondence to:

Shearman & Sterling
Intellectual Property Docketing
599 Lexington Avenue
New York, NY 10022

Direct telephone calls to Matthew T. Byrne, Esq. at telephone number (212) 848-7332.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

First Inventor: Scott G. Adams
Residence: 413 Mitchell Street, Ithaca, New York 14850
Citizenship: United States
Mailing Address: 413 Mitchell Street, Ithaca, New York 14850

Signature of First Inventor:

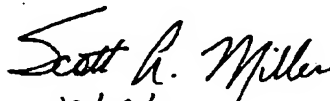
Date:


10/19/01

Second Inventor: Scott A. Miller
Residence: 64 Gunderman Road, Ithaca, New York 14850
Citizenship: United States
Mailing Address: 64 Gunderman Road, Ithaca, New York 14850

Signature of Second Inventor:


Date:


10/19/01

Third Inventor: Wendy Jo H. Johnson
Residence: 56 Teeter Road, Ithaca, New York 14850
Citizenship: United States
Mailing Address: 56 Teeter Road, Ithaca, New York 14850

Signature of Third Inventor:

Date:


10/19/01



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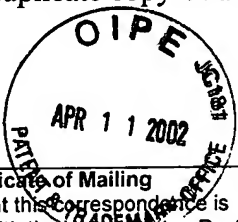
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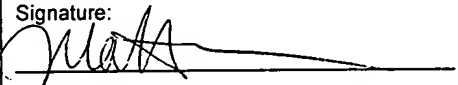
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Washington, D.C. 20231

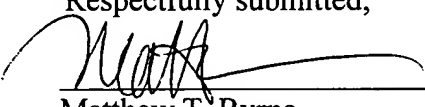
on April 3, 2002.

Typed or printed name of person signing this certificate:

Matthew T. Byrne

Signature: 

Respectfully submitted,


Matthew T. Byrne
Registration No. 40,934
SHEARMAN & STERLING
Customer No. 26155
599 Lexington Avenue
New York, New York 10022
(212) 848-4000 (voice)
(212) 848-7179 (fax)



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Washington, D.C. 20231

PHONE

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